



October 10, 2019

Via ELECTRONIC FILING

Marlene H. Dortch Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte Presentation, Advanced Methods to Target and Eliminate Unlawful Robocalls,
CG Docket No. 17-59; Call Authentication Trust Anchor, WC Docket No. 17-97*

Dear Ms. Dortch:

On October 8, 2019, Patrick Halley and Farhan Chughtai of USTelecom – The Broadband Association, Steve Morris and Radhika Bhat of NCTA – The Internet & Television Association, and Matthew Gerst and Sarah Leggin of CTIA (collectively, the “Associations”) met with representatives from the Commission’s Consumer and Governmental Affairs Bureau and Wireline Competition Bureau to discuss the need for a broad safe harbor that protects voice service providers’ good-faith efforts to combat abusive robocalls. Adopting a broad safe harbor will provide the clarity and certainty needed to meaningfully advance the Commission’s goal of relieving consumers from the onslaught of illegal and unwanted robocalls while protecting legitimate calls. A list of meeting attendees is attached to this letter.

The Associations’ member companies include voice service providers that serve every corner of the country, all of whom share the Commission’s top consumer protection priority: to stop illegal and unwanted robocalls. These providers have made significant strides towards combatting illegal and unwanted robocalls within the Commission’s current regulatory framework. Voice service providers continue to strengthen existing, and offer new, innovative call blocking and labeling services to give consumers more choice and control over their calls. A cross section of the Associations’ member companies reaffirmed this commitment joining all 51 State Attorneys General (AG) and endorsing the State AG Anti-Robocall Principles to assist government agencies in taking action against bad actors. In addition, the Associations and their members coordinate to traceback illegal robocallers and provide information to enforcement entities.



The Commission has done important work to allow voice service providers to fight illegal and unwanted robocalls by, among other things, adopting its Call Blocking Declaratory Ruling.¹ The Commission should continue this work by adopting a broad safe harbor to protect providers who harness reasonable analytics tools and services to fight robocalls. The Associations stressed that a broad safe harbor is the clearest, most effective way to expedite deployment of a more robust, holistic approach to protect consumers.² Specifically, the Associations discussed the critical role of analytics engines in the fight against robocalls, and how the robocall landscape continues to evolve. The Associations described how a broad safe harbor would allow providers and their analytics engine partners to more aggressively leverage available tools, develop new techniques and services, and react more swiftly and effectively to ever-changing robocall schemes.

The Associations explained that absent a broad safe harbor, voice providers face a real risk of liability for taking action to protect consumers from illegal and unwanted calls.³ The Associations also discussed the shortfalls of limiting the safe harbor to a narrow set of SHAKEN/STIR data as the Commission proposed, and how adoption of a broader safe harbor that permits the use of other data and sophisticated analytics would enable voice providers to make informed and targeted blocking and labeling decisions. An unnecessarily narrow safe harbor will likely constrain providers' use of reasonable analytics and, more importantly, will lack sufficient certainty for providers to take aggressive action to relieve consumers from the onslaught of illegal and unwanted robocalls.

Finally, the Associations discussed the many ways voice service providers protect legitimate callers and how a broad safe harbor will help advance those efforts. The Associations explained that the same analytics engines and other tools that help providers identify illegal robocalls also help providers identify and protect legitimate calls. Today, voice providers offer points-of-contact and robust processes to address legitimate callers' concerns and facilitate quick action in the limited, inadvertent instances in which legitimate calls are blocked. By encouraging providers to use robust analytics tools and offer processes for unblocking as part of a broad safe harbor, the Commission will also help protect legitimate callers.

¹ *Advanced Methods to Target and Eliminate Unlawful Robocalls; Call Authentication Trust Anchor*, Declaratory Ruling and Third Further Notice of Proposed Rulemaking, 34 FCC Rcd. 4876 (rel. June 7, 2019).

² See, e.g., Comments of USTelecom, CG Docket No. 17-59, at 4 (July 24, 2019); Comments of CTIA, CG Docket No. 17-59, at 7 (July 24, 2019); Comments of First Orion Corp., CG Docket No. 17-59, at 13 (July 24, 2019); Comments of NCTA – The Internet & Television Association, CG Docket No. 17-59, at 8 (July 24, 2019).

³ See e.g., Ex Parte Letter of Professional Association for Customer Engagement, at 2-3, CG Docket No. 17-59 (May 29, 2019).



Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed in ECFS and provided to the Commission participants. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Patrick Halley

Patrick Halley

Senior Vice President, Policy & Advocacy, USTelecom – The Broadband Association

/s/ Matthew Gerst

Matthew Gerst

Vice President, Regulatory Affairs, CTIA

/s/ Steve Morris

Steve Morris

Vice President & Deputy General Counsel, NCTA – The Internet & Television Association

CC: Patrick Webre
Connor (CJ) Ferraro
Kurt Schroeder
Zac Champ
Jerusha Burnett
Pamela Arluk
Justin Faulb
Matthew Collins
Heather Hendrickson
Kristi Thornton



October 8, 2019 Meeting Attendees

USTelecom

Patrick Halley
Farhan Chughtai

NCTA

Steve Morris
Radhika Bhat

CTIA

Matt Gerst
Sarah Leggin

FCC

Patrick Webre, CBG
Connor (CJ) Ferraro, WCB/CPD
Kurt Schroeder, CGB
Zac Champ, CGB
Jerusha Burnett, CGB
Pamela Arluk, WCB/CPD
Justin Faulb, WCB
Matthew Collins, WCB*
Heather Hendrickson, WCB*
Kristi Thornton, CGB*

* Denotes participated by conference bridge.